

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 18-50484
1:16-cv-1300 DAE

WHOLE WOMAN'S HEALTH; BROOKSIDE WOMEN'S MEDICAL CENTER, P.A., doing business as Brookside Women's Health Center and Austin Women's Health Center; LENDOL L. DAVIS, M.D.; ALAMO CITY SURGERY CENTER, P.L.L.C., doing business as Alamo Women's Reproductive Services; WHOLE WOMAN'S HEALTH ALLIANCE; DR. BHAVIK KHUMAR,

Plaintiffs - Appellees

v.

CHARLES SMITH, Executive Commissioner of the Texas Health and Human Services Commission, in his official capacity,

Defendant - Appellee

v.

TEXAS CATHOLIC CONFERENCE,

Movant - Appellant

Appeal from the United States District Court
for the Western District of Texas

Before JONES, COSTA, and HO, Circuit Judges.

For reasons to be explained, this court **REVERSES** the order of the district court denying Appellant's motion to quash and compelling discovery of

No. 18-50484

internal communications within the Texas Conference of Catholic Bishops.
Opinions to be filed no later than Sunday, July 15.¹

¹ Judge Costa dissents, opinion to follow.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

July 13, 2018


MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 18-50484 Whole Woman's Health, et al v. Charles Smith
USDC No. 1:16-CV-1300

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Mary Frances Yeager, Deputy Clerk
504-310-7686

Mr. Joshua Michael Blackman
Mr. Daniel Howard Blomberg
Mr. Richard Arthur Bordelon
Mr. David Patrick Brown
Ms. Jeannette Clack, Clerk
Mr. Joseph Charles Davis
Mrs. Molly Rose Duane
Mr. Joseph Alexander Lawrence
Mr. Steven Charles Levatino
Mr. Andrew Fairles MacRae
Mr. Darren Lee McCarty
Mr. David Austin Robert Nimocks
Mr. Daniel Ortner
Mr. Eric C. Rassbach
Ms. Caroline Marie Sacerdote
Ms. Stephanie Toti
Ms. Diana Verm
Mr. Scott Weatherford